



**PROFESSIONAL ENGINEER SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND
SURVEYORS**

Room N208, 4822 Madison Yards Way, 2nd Floor, Madison

Contact: Christian Albouras (608) 266-2112

February 27, 2020

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

8:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of October 9, 2019 (4)

C. Introductions, Announcements and Recognition

D. Administrative Matters

- 1) Department, Staff and Board Updates
- 2) Annual Policy Review **(5)**
- 3) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(6-12)**
- 4) 2020 Meeting Dates **(13)**
- 5) Board Members – Term Expiration Dates
 - a. Cotharn, Kristine – 7/1/2021
 - b. Hook, Steven – 7/1/2014
 - c. Linck, Karl – 7/1/2021
 - d. Scholl, Colleen – 7/1/2023

E. Legislative and Policy Matters – Discussion and Consideration

F. Administrative Rule Matters – Discussion and Consideration (14)

- 1) Review of Proposed Revisions to A-E 5, Relating to Designer Permits **(15-20)**
- 2) A-E 2, Relating to General Procedures **(21-22)**
- 3) A-E 8, Relating to Professional Conduct **(23-25)**
- 4) Pending or Possible Rulemaking Projects

G. Credentialing Matters – Discussion and Consideration

- 1) Licenses Issued Since Last Meeting **(26-30)**

H. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

I. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

J. Division of Legal Services and Compliance (DLSC) Matters

1) Case Closings

- a. 18 ENG 020 – N.H. and C.E.P.E., LLC **(31-34)**
- b. 19 ENG 001 – M.R.M. **(35-38)**

K. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions

- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

N. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT DATE: APRIL 22, 2020

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PROFESSIONAL ENGINEER SECTION
OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND PROFESSIONAL LAND SURVEYORS
MEETING MINUTES
OCTOBER 9, 2019**

PRESENT: Kristine Cotharn, Steven Hook, Karl Linck, Colleen Scholl

STAFF: Christian Albouras, Executive Director; Jameson Whitney, Board Legal Counsel; Dale Kleven, Administrative Rule Coordinator; Megan Glaeser, Bureau Assistant; and other Department staff

CALL TO ORDER

Kristine Cotharn, Chairperson, called the meeting to order at 1:37 p.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Steven Hook moved, seconded by Colleen Scholl, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 29, 2019

MOTION: Colleen Scholl moved, seconded by Steven Hook, to approve the Minutes of August 29, 2019 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Department, Staff and Board Updates

MOTION: Steven Hook moved, seconded by Colleen Scholl, to meet no fewer than four times per year, based on the needs of the Section. Motion carried unanimously.

ADJOURNMENT

MOTION: Steven Hook moved, seconded by Colleen Scholl, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:02 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 1/7/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date:	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum – Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting, we ask that you let us know ASAP as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. DSPS Boards-Open Meetings Resources 2. Walking Quorum – Please refrain from discussing Board/Section/Council business with other members outside of legally noticed meetings so to avoid walking quorum issues pursuant to Open Meetings Law. DSPS Boards-Open Meetings Resources 3. Agenda Deadlines – Please let your executive Director know if you have items to be considered on an upcoming agenda no less than 8 business days prior to a meeting when possible. DSPS Boards-Reference Materials-Meeting Timeline 4. Travel Voucher and Per Diem Submissions – Please submit all Per Diem and Reimbursement Claims to DSPS within 30 days of date an expense is incurred. DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview 5. Lodging Accommodations/Hotel Cancellation Policy – Lodging accommodations are provided to members who must leave home before 6:00 a.m. to attend a meeting. If you cannot attend a meeting it is the board member’s responsibility to cancel their reservation within the stated cancellation timeframe. If a meeting is changed to a teleconference or cancelled or rescheduled, DSPS staff will make lodging cancellations or modifications as needed. DSPS Boards-Travel and Reimbursement-Travel and Reimbursement Overview 6. Inclement Weather Policy – In the event of inclement weather the agency may change a meeting from an in-person meeting to a teleconference. 			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> <i>Kimberly Wood</i> </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> 1/7/2020 </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Signature of person making this request </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Supervisor (if required) </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> <div style="width: 60%; border-bottom: 1px solid black; padding-bottom: 5px;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="width: 35%; border-bottom: 1px solid black; padding-bottom: 5px;"> Date </div> </div>			
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Megan Glaeser, Bureau Assistant		2) Date When Request Submitted: February 18, 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: February 27, 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters: 1) Election of Officers, Appointment of Liaisons and Alternates, and Delegation of Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election of its Officers for 2020. 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate. 3) The Board should review and then consider continuation or modification of previously delegated authorities.			
11) Authorization			
Megan Glaeser <hr/> Signature of person making this request		February 18, 2020 <hr/> Date	
<hr/> Supervisor (if required)		<hr/> Date	
<hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Engineer Section
2019 Election Results, Liaison Appointments, And Delegated
Authorities

2019 ELECTION RESULTS	
Section Chair	Kristine Cotharn
Vice Chair	Steven Hook
Secretary	Karl Linck
2019 LIAISON APPOINTMENTS	
Credentialing Liaisons	Steven Hook
Continuing Education Liaison	Karl Linck, Kristine Cotharn
Monitoring and Professional Assistance Procedure (PAP) Liaison	Kristine Cotharn
Legislative Liaison	Karl Linck
Travel Liaison	Colleen Scholl
Rules Committee	Steven Hook
Screening Panel	Colleen Scholl, Kristine Cotharn

- **Delegation of Authorities**

- *Document Signature Delegations*

- **MOTION:** Steven Hook moved, seconded by Kristine Cotharn, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.
 - **MOTION:** Steven Hook moved, seconded by Karl Linck, in order to carry out duties of the Section, the Chairperson, chief presiding officer, or longest serving section member, has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

- *Delegated Authority for Urgent Matters*

- **MOTION:** Karl Linck moved, seconded by Steven Hook, that in order to facilitate the completion of urgent matters between meetings, the Section

delegates its authority to the Chairperson (or in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Monitoring Delegations

- **MOTION:** Steven Hook moved, seconded by Karl Linck, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” as presented. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

- **MOTION:** Kristine Cotharn moved, seconded by Karl Linck, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

- **MOTION:** Steven Hook moved, seconded by Kristine Cotharn, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

- **MOTION:** Karl Linck moved, seconded by Steven Hook, that the Department’s Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Section’s designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

- **MOTION:** Steven Hook moved, seconded by Kristine Cotharn, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education, Continuing Education and/or Examination Delegation(s)

- **MOTION:** Kristine Cotharn moved, seconded by Karl Linck, to delegate authority to the Education, Continuing Education and/or Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

- **MOTION:** Steven Hook moved, seconded by Karl Linck, to authorize DSPS staff to provide national regulatory related bodies with all Section member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

- **MOTION:** Karl Linck moved, seconded by Steven Hook to designate the Chairperson (or in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to provide a brief statement or link relating to section-related business within the license

renewal notice at the Section's or Section designee's request. Motion carried unanimously.

Legislative Liaison Delegation

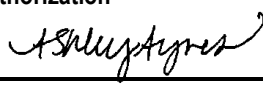
- **MOTION:** Steven Hook moved, seconded by Karl Linck, to delegate authority to the Legislative Liaisons to speak on behalf of the Section regarding legislative matters. Motion carried unanimously.

Travel Delegation

- **MOTION:** Steven Hook moved, seconded by Karl Linck, to delegate authority to the Travel Liaison to approve any section member travel. Motion carried unanimously.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 31, 2019 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: February 27, 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: 1. Appoint primary and alternate Monitoring liaisons. 2. Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet. 3. Delegate authority to Board Counsel to sign Monitoring orders on behalf of the Board/Section, after the Board/Section has taken action on Monitoring agenda items. <i>Current practice is for Department Monitors to draft Monitoring orders after Board meetings, send them to Board Counsel for review, and then send them to the Executive Director for subsequent review and signature. With the new proposed process, Department Monitors would only send their orders to Board Counsel for review and signature, eliminating the need for a second review by the Executive Director.</i>			
11) Authorization <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  <hr/> Signature of person making this request </div> <div style="text-align: center;"> December 31, 2019 <hr/> Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Supervisor (if required) </div> <div style="text-align: center;"> Date </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </div> <div style="text-align: center;"> Date </div> </div>			
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Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. Board Monitoring Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
10. (*Except Pharmacy*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.
11. (*Except Pharmacy*) Grant Respondent’s petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test

12. (*Dentistry only*) – Ability to approve or deny all requests from a respondent.

13. (*Except Nursing*) – Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
 2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.
 3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Megan Glaeser, Bureau Assistant		2) Date When Request Submitted: February 18, 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: February 27, 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 2020 Meeting Dates	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please review the finalized 2020 meeting date\ls. Any conflicts should be identified so to ensure quorum. 2/27/2020 4/22/2020 7/23/2020 10/7/2020 12/3/2020			
11) Authorization			
Megan Glaeser		February 18, 2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 2/17/20 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: 2/27/20	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Review of Proposed Revisions to A-E 5, Relating to Designer Permits 2. A-E 2, Relating to General Procedures 3. A-E 8, Relating to Professional Conduct 4. Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Items 2. and 3. The Rules Committee will be starting a comprehensive review of ch. A-E 2, relating to general requirements and procedures, and ch. A-E 8, relating to professional conduct. Each section of the Board has the opportunity to provide information and comments to the Committee as it undergoes its review.			
11) Authorization			
Signature of person making this request <i>Dale Kleven</i>		Date <i>November 22, 2019</i>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter A-E 5 DESIGNER PERMIT

A-E 5.01 Authority and purpose. The rules in this chapter are adopted under authority in ss. 15.08 (5) (b), 227.11 and 443.07, Stats. The purpose of rules in this chapter is to interpret basic experience and examination requirements for obtaining a designer permit as specified in s. 443.07, Stats.

~~**A-E 5.02 Application for permit.** Any applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request shall file a new application and fee.~~

~~**Note:** Applications are available on the website at dsps.wi.gov or by calling (608) 266 – 2112.~~

A-E 5.03 General experience requirement. (1) GENERAL. An applicant's experience shall demonstrate that the applicant has a working knowledge of all of the following:

- (a) Basic mathematics, physics and mechanics.
- (b) Materials and structures.
- (c) Administrative codes and other relevant Wisconsin law.
- (d) Graphic techniques, including drafting and sketching.

~~(e) All topics under s. A-E 5.04 (1) (b) 1. to 5., (c) 1. and 2., (d) 1. to 7., (e) 1. and 2., or (f) 1. to 5., as applicable, in the field or subfield for which the applicant has applied.~~

~~**(2) AREAS OF EXPERIENCE.** To qualify as satisfactory experience in the design of engineering systems under s. 443.07, Stats., the The experience of an applicant for a permit shall be substantially in the field or subfield for which the applicant has applied, and the experience shall demonstrate competence to be in charge of work in that specific field or subfield to the satisfaction of the section. Fields and subfield subfields are described in s. A-E 5.06. The experience shall be in areas of design practice designated under subs. (3) and (4), or other areas which, in to the opinion satisfaction of the board section, provide provides the applicant with knowledge or practice at least equivalent to that which what is generally acquired by experience in the areas listed. An applicant need not have experience in all areas of practice listed under subs. (3) and sub. (4). However, all applicants shall have experience in those areas listed in sub. (3) (a) and (b). Academic coursework which that provides the applicant with knowledge and skills in some of the areas of practice listed under subs. (3) and (4) may be claimed as equivalent to experience, in accordance with the limitations in s. 443.07 (2), Stats.~~

(3) REQUIRED AREAS OF EXPERIENCE. All applicants shall have experience in the following areas:

- (a) Research and development.
 1. Problem identification, including consideration of alternative approaches to problem solving.
 2. Planning, including selecting a theoretical or experimental approach.
 3. Execution of plan, including completing design calculations.
 4. Interpreting and reporting results.

(b) Design.

1. Definition of safety, health and environmental constraints.
2. Selection of materials and components.
3. Production of final designs.
4. Preparation of detailed working drawings.
5. Evaluation of design solution for adherence to laws and codes and obtain approval.

(4) OTHER AREAS OF EXPERIENCE. Qualifying experience includes:

(a) Other design.

1. Identification of design objectives.
2. Definition of performance specifications and functional requirements, including materials, energy balances, and environmental considerations.
3. Formulation of conceptual design specifications.
4. Definition of physical properties of all key materials.
5. Preparation of designs, layouts, models and systems diagrams.
6. Preparation of supporting technical information.
7. Preparation of bid documents, including conducting a contract evaluation.
8. Preparation of specifications and data sheets.
9. Interaction with engineers from other areas of work.
10. Consultation with contractors, suppliers and installers.
11. Inspection of purchased equipment and materials for conformity specifications.

(b) Construction.

1. Assistance in design implementation during manufacturing or construction.
2. Assistance in design implementation during start up.
3. Revision of design as required including “as built” drawings and specifications.
4. Certification in completing and testing.
5. Provision of field service assistance.
6. Reviewing of completed work.

(c) Maintenance.

1. Development of preventive maintenance schedules.

2. Recording of failures, repairs and replacement of equipment.
3. Determination of causes of equipment, structure or schedule failures.

(5) EXPERIENCE LIMITATION. Not more than one year of satisfactory experience may be granted for any calendar year.

A–E 5.04 Examination. (1) WRITTEN EXAMINATION FOR DESIGNER OF ENGINEERING SYSTEMS; SCOPE OF EXAMINATION.

(a) The written examination in each field and subfield shall include questions and problems applying to the following basic content areas:

1. Basic mathematics, physics and mechanics.
2. Materials and structures.
3. Graphic techniques, including drafting and sketching, reading and interpreting blueprints and preparing specifications.
4. Administrative code and other relevant Wisconsin laws.

(b) The examination for a permit in the field of heating, ventilating and air conditioning systems requires an applicant to demonstrate competency in all of the following:

1. User requirements for maintenance of temperature.
2. Humidity and ventilation systems.
3. Energy sources.
4. Heating, ventilating and air conditioning systems, including ducted, piped, unitary, steam and hot water systems.
5. Manual, electric and pneumatic control systems, including air distribution, heat transfer, energy conservation and air changing systems.

(c) The examination for a permit in the field of plumbing systems requires an applicant to demonstrate competency in all of the following:

1. User requirements for water supply, drainage and disposal, including private septic systems.
2. Gaseous distribution systems, including processing piping, oxygen, air and other gases, heating and utilities.

(d) The examination for a permit in the subfield of private sewage onsite wastewater treatment systems as defined in s. 145.01 (12), Stats., requires an applicant to demonstrate competency in:

1. Knowledge of soils;
2. Design of private sewage onsite wastewater treatment systems;
3. Applicable administrative code and statutory provisions;

4. Knowledge of applications and reports, including but not limited to soil boring and percolation reports;

5. Mapping skills and interpretation;

6. Knowledge of all systems in the subfield and design of the systems; and

7. Environmental issues.

(e) The examination for a permit in the field of electrical systems requires the applicant to demonstrate competency in all of the following:

1. User requirements for both primary and secondary distribution, illumination, controls and switches and communication systems.

2. Power, including resistance heating, signals and motors.

(f) The examination for a permit in the field of fire protection systems requires the applicant to demonstrate competency in all of the following:

1. User requirements for fire protection of life and property, life safety requirements, methods of fire prevention, wet and dry standpipes, use of fire retardants and fire proof materials.

2. Suppression.

3. Fire characteristics.

4. Smoke.

5. Gases.

(2) REQUIREMENTS FOR ENTRANCE TO EXAMINATIONS. To be eligible to take a written examination for a permit as a designer of engineering systems, an applicant shall have 7 years of approved experience in specialized engineering design work, up to 4 years of which may be equivalent academic training or apprenticeship as provided in s. 443.07 (2), Stats.

(3) APPLICATION FOR EXAMINATION. An application for examination must be filed with the board section no later than 2 months before the scheduled date for the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

(4) EXAMINATION AND REFUND FEES. The fee for a designer examination and requirements for refund of fees are specified in s. 440.05, Stats., and ch. SPS 4.

(5) TIME, DATE, AND SITE OF EXAMINATIONS. The examinations shall be held at a time, date and site specified by the board section.

(6) GRADING OF WRITTEN EXAMINATIONS. The passing scores set by the board section represent the minimum competency required to protect public health and safety. An applicant's experience rating is not considered by the board section in grading the applicant's written examination.

(7) REEXAMINATION PROCEDURE. An applicant for a designer examination who fails an examination or any part of an examination may retake any part of the examination failed at a regularly- scheduled administration of the examination. If an applicant fails to pass, on reexamination of the parts failed, or the current examination parts equivalent to the parts failed, within 4 years from the date of receipt of the results of the first failure of the examination or any part of the examination, the applicant is required to take and pass the entire examination. If the applicant retakes the entire examination, the applicant shall pay the original examination fee under s. 440.05 (1), Stats. The board section shall determine which parts of a current examination are equivalent to the examination parts failed by an applicant.

Note: Examination fees are available on the department's website at dps.wi.gov, or by request from the Department of Safety and Professional Services, P.O. Box 8935, Madison, WI 53708, or by calling call (608) 266 – 2112.

(8) EXAMINATION REVIEW. (a) *One-year limitation.* An applicant for a designer examination may review questions on any part of an examination failed by the applicant within one year from the date of the examination, ~~as specified in s. 443.09 (6), Stats.~~ An applicant may review the examination only once.

(b) *Review procedure.* Failing candidates shall be notified of the procedure to schedule a review of the appropriate examination parts. The applicant may take notes on the examination questions reviewed. No notes may be retained by the applicant following the review. The review may not take place within 30 days prior to a scheduled examination. If the section confirms the failing status following its review, the application shall be deemed incomplete, and the applicant may be reexamined under sub. (7).

~~**Note:** Subsection (8) was invalidated by the repeal of s. 443.09 (6), Stats., in 2009 Wis. Act 350 and will be removed in future rule-making by the board.~~

(9) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

A-E 5.05 Application contents. An application shall include all of the following:

- (1)** Transcripts or apprenticeship records verifying the applicant's education and training.
- (2)** References from 3 individuals who have personal knowledge of the applicant's work involving the preparation of plans and specifications, one of whom shall be a registered architect, professional engineer or designer.
- (3)** A chronological history of the applicant's employment.
- (4)** Any additional data, exhibits or references showing the extent and quality of the applicant's technological experience that may be required by the designer section.

A-E 5.06 Designer permit limitation. **(1)** Design services which may be performed by designers are the preparation of plans and specifications, consultation, investigation and evaluation in connection with the preparation of plans and specifications in those fields and subfield subfields set forth in sub. (2).

(2) Permits for the design of engineering systems shall be issued in the following fields and subfield subfields:

- (a) The field of heating, ventilation and air conditioning systems.
- (b) The field of plumbing systems.
- (c) The subfield of private sewage onsite wastewater treatment systems.
- (d) The field of electrical systems.
- (e) The field of fire protection systems.

(3) Permit numbers shall designate the fields or subfield to which permits are restricted.

(4) Designers may not perform design services in those fields or subfield for which they do not hold a permit, unless the designer or building involved is exempt under ss. 443.14 and 443.15, Stats.

(6) (a) A master plumber's license restricted to private sewage onsite wastewater treatment systems issued pursuant to s. 145.14, Stats., shall be deemed equivalent to 4 years of approved experience in designing private sewage onsite wastewater treatment systems. The mathematics and mechanical science portions of the examination for the subfield of private sewage onsite wastewater treatment systems may be waived for an applicant who holds such the license. An applicant who does not hold such that license shall take the mathematics, mechanical science and practice portions of the examination for the subfield of private sewage onsite wastewater treatment systems.

(b) A plumbing design permit in the subfield of private sewage onsite wastewater treatment systems shall be limited to the design of septic tanks for private sewage disposal onsite wastewater treatment systems, drain fields designed to serve such septic tanks, and the sewer service from the septic tank or sewer extensions from mains to the immediate inside or proposed inside foundation wall of the building.

Chapter A-E 2

GENERAL REQUIREMENTS AND PROCEDURES

A-E 2.01	Purpose.
A-E 2.02	Registration seals.
A-E 2.03	Branch offices.

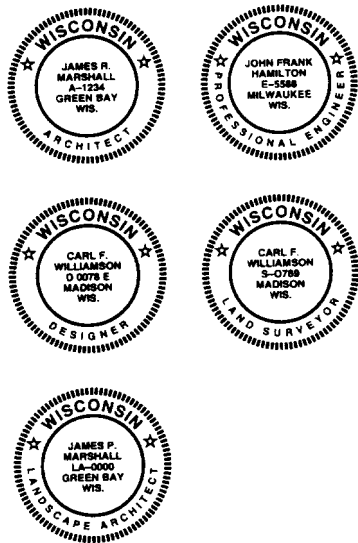
A-E 2.04	Change of address.
A-E 2.05	Failure to be registered.

A-E 2.01 Purpose. The purpose of rules in this chapter is to specify general requirements and procedures which apply to persons credentialed by any section of the board. Requirements specific to architects, landscape architects, professional engineers, designers or professional land surveyors are specified in chs. A-E 3, 4, 5, 6, 7, 9, 10, 11, 12, and 13. Rules of professional conduct for all registrants or permit holders are specified in ch. A-E 8.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, June, 1995, No. 474, eff. 7-1-95; am. Register, January, 1999, No. 517, eff. 2-1-99; am. Register, February, 2000, No. 530, eff. 3-1-00; CR 11-014: am. Register December 2011 No. 672, eff. 1-1-12; CR 15-036: am. Register January 2016 No. 721, eff. 2-1-16.

A-E 2.02 Registration seals. (1) Each architect, landscape architect, professional engineer, designer and professional land surveyor shall obtain a seal that complies with board specifications for registration seals. The overall diameter may not be less than 1 $\frac{3}{8}$ inches nor more than 2 inches. Each seal shall include the registrant's name, registration or permit number and city.

(2) The following designs for registration seals have been approved:



(3) A rubber stamp, identical in size, design and content to a board-approved seal, may be used as a substitute for a registration seal.

(4) Each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice shall be signed, sealed and dated by the registrant or permit holder who prepared, or directed and controlled preparation of, the written material, except as specified in sub. (5).

(5) If more than one sheet is bound together in a volume, the registrant or permit holder who prepared or directed and controlled the preparation of the volume, may sign, seal and date only

the title or index sheet if the signed sheet identifies clearly all other sheets comprising the bound volume and if any other sheets which are prepared by or under the direction and control of another registrant or permit holder are signed, sealed and dated by the other registrant or permit holder.

(6) Any addition, deletion or other revision to each sheet of plans, drawings, documents, specifications and reports for architectural, landscape architectural, professional engineering, design or professional land surveying practice which affects public health and safety or any state or local code requirements may not be made unless signed, sealed and dated by the registrant or permit holder who made or directed and controlled the making of the revision.

(7) (a) All seals or stamps affixed to plans, drawings, documents, specifications, and reports to be filed as public documents shall be original. No stickers shall be allowed. Seals or stamps may be applied by crimp type, rubber stamp or by electronic means provided the electronic seal or stamp meets the requirements of subch. II of ch. 137, Stats., a security procedure is used, and electronic submissions are permitted by the governmental unit that is to receive the plans, drawings, documents, specifications, and reports.

1. The stamp authorized by the Board must be one of crimp type, rubber stamp type, or computer generated.

(b) All seals and stamps on plans, drawings, documents, specifications, and reports to be filed as public documents shall be signed and dated by the registered professional in one of the following manners:

1. In a permanent ink contrasting with the seal and the background.

2. Utilizing an electronic signature, meeting the requirements of subch. II ch. 137, Stats., a security procedure is used and if permitted by the governmental unit that is to receive the plans, drawings, documents, specifications, and reports. A scanned image of an original signature shall not be used in lieu of an electronic signature with a security procedure as found in s. 137.11 (13), Stats.

Note: Section 137.11 (13), Stats., of the statutes reads as follows: "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes identifying words or numbers, encryption, callback, or other acknowledging procedures.

(c) If other standards for signatures or seals are prescribed by statute, the statutes shall govern.

(8) Plans, specifications and calculations for buildings and structures not exempt under s. 443.15, Stats., which have been prepared by an architect or professional engineer other than the Wisconsin registered architect or engineer who is submitting the plans, specifications and calculations for filing as public documents, may be submitted if all of the following conditions are satisfied:

(a) The plans, specifications and calculations shall have been prepared by or under the supervision of an architect or professional engineer licensed in some state of the United States, and shall bear the signature and seal or stamp of the architect or professional engineer who prepared them or under whose supervision and control they were prepared.

(b) A certificate, dated, signed and sealed by the Wisconsin registered architect or professional engineer who is submitting the plans, specifications and calculations for filing as public documents, shall be attached to the plans, specifications and calculations. The certificate shall indicate that the plans, specifications and calculations were prepared by an architect or professional engineer other than the submitting registered architect or professional engineer; shall describe the work performed by the submitting registered architect or professional engineer; and shall include statements to the effect that the plans and specifications have been reviewed and comply with all applicable local and state building codes, and that the reviewing registered architect or professional engineer will be responsible for the supervision of construction in accordance with the requirements of the state, and of the county and municipality where the building or structure is to be erected. If the registered architect or professional engineer who originally prepared the plans, specifications and calculations was registered in Wisconsin at the time they were prepared, the certificate shall also specify why the original architect or professional engineer is not submitting the plans, specifications and calculations for approval.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; cr. (7), Register, January, 1993, No. 445, eff. 2-1-93; am. (1), (2), (4) and (6), Register, June, 1995, No. 474, eff. 7-1-95; am. (1), (2), (4) and (6), Register, February, 2000, No. 530, eff. 3-1-00; cr. (8), Register, November, 2000, No. 539, eff. 12-1-00; CR 01-034: r. and recr. (7), Register December 2001 No. 552, eff. 1-1-02; CR 13-020: am. (7) (a) (intro.), cr. (7) (a) 1., am. (7) (b) (intro.), 2. Register May 2015 No. 713; CR 15-036: am. (1), (4), (6) Register January 2016 No. 721, eff. 2-1-16; correction in (1) made under s. 35.17, Stats., Register November 2018 No. 755.

A-E 2.03 Branch offices. (1) DEFINITIONS. In this section,

(a) "Firm" means any sole proprietorship, partnership or corporation located in Wisconsin which provides or offers to provide architectural, landscape architectural, professional engineering, design or professional land surveying services to the public.

(b) "Resident" means a currently-registered architect, landscape architect, professional engineer, designer or professional land surveyor who spends the majority of his or her working schedule in one firm location and who is in charge of and responsible for the type of services offered or provided from that location.

(2) RESIDENT REQUIRED; RESPONSIBILITIES. Every firm maintaining one or more places of business in Wisconsin shall have:

(a) A resident architect in each separate business location which provides or offers to provide architectural services.

(b) A resident professional engineer in each separate business location which provides or offers to provide professional engineering services.

(c) A resident designer in each separate business location which provides or offers to provide designing services.

(d) A resident professional land surveyor in each separate business location which provides or offers to provide professional land surveying services.

(e) A resident landscape architect in each separate business location which provides or offers to provide landscape architectural services.

(3) NOTICE. Every firm shall notify the board of at least one resident who is in charge of and responsible for each separate business location.

(4) RESIDENT LIMITATION. A resident may not be in charge of or responsible for services offered or provided from more than one business location.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) (a) and (b), cr. (2) (e) and (f), Register, June, 1995, No. 474, eff. 7-1-95; am. (2) (intro.), Register, January, 1999, No. 517, eff. 2-1-99; am. (1) (a) and (b), r. (2) (f), Register, February, 2000, No. 530, eff. 3-1-00; CR 15-036: am. (1) (a), (b), (2) (d) Register January 2016 No. 721, eff. 2-1-16.

A-E 2.04 Change of address. Every registrant or permit holder shall notify the board in writing of a change of address within 30 days of the change. The notice shall include the person's or firm's former and new addresses and each registration or permit number held.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 2.05 Failure to be registered. (1) If a licensee who fails to renew his or her credential by the established renewal date applies for renewal of the credential less than 5 years after its expiration, the credential shall be renewed upon payment of the renewal fee specified in s. 440.08, Stats.

(2) (a) If a licensee applies for renewal of his or her credential more than 5 years after its expiration, the board shall determine whether the applicant is competent to practice under the credential in this state. The inquiry shall include a review of the applicant's practice within the previous 5 years, if any, in other licensing jurisdictions.

(b) After inquiry, the board shall impose any reasonable conditions on reinstatement of the credential as the board deems appropriate, including a requirement that the applicant complete any current requirement for original licensure.

History: Cr. Register, March, 1996, No. 483, eff. 4-1-96.

Chapter A-E 8

PROFESSIONAL CONDUCT

A-E 8.01	Authority.
A-E 8.02	Intent.
A-E 8.03	Definitions.
A-E 8.04	Offers to perform services shall be truthful.
A-E 8.05	Conflicts of interest.
A-E 8.06	Professional obligations.

A-E 8.07	Unauthorized practice.
A-E 8.08	Maintenance of professional standards.
A-E 8.09	Adherence to statutes and rules.
A-E 8.10	Plan stamping.
A-E 8.11	Suspension of registration; effect.

A-E 8.01 Authority. The rules of conduct in this chapter are adopted under authority of ss. 15.08 (5) (b), 227.11 and ch. 443, Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87.

A-E 8.02 Intent. The intent of the examining board in adopting this chapter is to establish rules of professional conduct for the professions of architecture, landscape architecture, professional engineering, designing and professional land surveying. A violation of any standard specified in this chapter may result in disciplinary action under ss. 443.11 to 443.13, Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, June, 1995, No. 474, eff. 7-1-95; am. Register, February, 2000, No. 530, eff. 3-1-00; CR 15-036; am. Register January 2016 No. 721, eff. 2-1-16.

A-E 8.03 Definitions. In ch. 443, Stats., and chs. A-E 1 to 9:

(1) “Gross negligence in the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying” means the performance of professional services by an architect, landscape architect, professional engineer, designer or professional land surveyor which does not comply with an acceptable standard of practice that has a significant relationship to the protection of health, safety or public welfare and is performed in a manner indicating that the professional knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.

(2) “Incompetency in the practice of architecture, landscape architecture, professional engineering, designing or land surveying” means conduct which demonstrates any of the following:

(a) Lack of ability or fitness to discharge the duty owed by an architect, landscape architect, professional engineer, designer or land surveyor to a client or employer or to the public.

(b) Lack of knowledge of the fundamental principles of the profession or an inability to apply fundamental principles of the profession.

(c) Failure to maintain competency in the current practices and methods applicable to the profession.

(3) “Misconduct in the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying” means an act performed by an architect, landscape architect, professional engineer, designer or professional land surveyor in the course of the profession which jeopardizes the interest of the public, including any of the following:

(a) Violation of federal or state laws, local ordinances or administrative rules relating to the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying.

(b) Preparation of deficient plans, drawings, maps, specifications or reports.

(c) Engaging in conduct which evidences a lack of trustworthiness to transact the business required by the profession.

(d) Misrepresentation of qualifications such as education, specialized training or experience.

(4) “Responsible supervision of construction” is defined in s. 443.01 (8), Stats.

(5) (a) “Supervision,” “direct supervision,” “responsible charge,” and “direction and control,” mean direct, personal, active supervision and control of the preparation of plans, drawings, documents, specifications, reports, maps, plats and charts.

(b) The terms in par. (a) include the following:

1. Selection or development of standards, methods and materials to be used.

2. Selection of alternatives to be investigated and the comparison of alternatives for the professional work.

3. Testing to evaluate materials or completed works, either in new or existing projects.

4. Knowledge of applicable codes and professional standards.

5. Knowledge of the technical capabilities of the personnel they rely upon to perform the professional work.

(c) The terms in par. (a) do not include the following:

1. Indirect or casual supervision.

2. Delegation of any decision requiring professional judgment.

3. Casual review or inspection of prepared plans, drawings, specifications, maps, plats, charts, reports or other documents.

4. Mere assumption by an architect, landscape architect, professional engineer, designer or professional land surveyor of responsibility for work without having control of the work.

5. Assuming charge, control or direct supervision of work in which the architect, landscape architect, professional engineer, designer or professional land surveyor does not have technical proficiency.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (intro.), (1), (2) (intro.), (a), (3) (intro.), (a), (5) (d) and (e), Register, June, 1995, No. 474, eff. 7-1-95; am. (2) (intro.) to (b), (3) (intro.) to (c), (5) (intro.) to (d), Register, January, 1999, No. 517, eff. 2-1-99; am. (1), (2) (intro.) and (a), (3) (intro.), (a), (5) (d) and (e), Register, February, 2000, No. 530, eff. 3-1-00; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register December 2005 No. 600; CR 09-033: r. and recr. (5) Register December 2009 No. 648, eff. 1-1-10; CR 15-036; am. (1), (3) (intro.), (a), (5) (c) 4., 5. Register January 2016 No. 721, eff. 2-1-16.

A-E 8.04 Offers to perform services shall be truthful. When offering to perform professional services, an architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall accurately and truthfully represent to a prospective client or employer the capabilities and qualifications which the registrant or licensee has to perform the services to be rendered.

(2) Shall represent the costs and completion times of a proposed project to a client or prospective client as accurately and truthfully as is reasonably possible.

(3) May not offer to perform, nor perform, services which the registrant or licensee is not qualified to perform by education or experience without retaining the services of another who is qualified.

(4) May not use advertising or publicity which is fraudulent or deceptive.

(5) May not represent that he or she is engaged in a partnership or association with another unless there exists in fact a partnership or association.

(6) May not collect a fee for recommending the services of another unless written notice is first given to all parties concerned.

(7) May not practice under a firm name that misrepresents the identity of those practicing in the firm or misrepresents the type of services which the individuals, firm or partnership is authorized and qualified to perform.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (intro.), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) to (6), Register, January, 1999, No. 517, eff. 2-1-99; am. (intro.), Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (intro.), (1), (3) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.05 Conflicts of interest. (1) An architect, landscape architect, professional engineer, designer or professional land surveyor:

(a) Shall avoid conflicts of interest. If an unavoidable conflict of interest arises, the registrant or licensee shall immediately inform the client or employer of all the circumstances which may interfere with or impair the registrant's or licensee's obligation to provide professional services. Under these circumstances a registrant or licensee may not proceed to provide professional services without the full approval and consent of the client or employer.

(b) Shall notify the employer or client and withdraw from employment at any time if it becomes apparent that it is not possible to faithfully discharge the responsibilities and duties owed to the client or employer.

(c) May not agree to perform professional services for a client or employer if the registrant or licensee has a significant financial or other interest which would impair or interfere with the registrant's or licensee's responsibility to faithfully discharge professional services on behalf of the client or employer.

(d) May not accept payment from any party other than a client or employer for a particular project or may not have any direct or indirect financial interest in a service or phase of a service to be provided as part of a project unless the employer or client approves.

(e) May not solicit or accept anything of value from material or equipment suppliers in return for specifying or endorsing a product.

(f) May not violate the confidences of a client or employer, except as otherwise required by rules in this chapter.

(g) May not perform services for a client or employer while a full-time employee of another employer without notifying all parties concerned.

(2) Nothing in these rules limits a registrant's or a licensee's professional responsibility to an owner of a project when the registrant or licensee is employed by a person or firm under contract to construct and furnish design services for that project.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) (intro.), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) (a) to (f), Register, January, 1999, No. 517, eff. 2-1-99; am. (1) (intro.), Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (1) (intro.), (a), (c), (2) Register January 2016 No. 721, eff. 2-1-16; Correction under s. 35.17, Stats., in (1) (a), (c), (2) Register January 2016 No. 721.**

A-E 8.06 Professional obligations. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall use reasonable care and competence in providing professional services.

(2) May not evade the professional or contractual responsibility which the registrant or licensee has to a client or employer.

(3) May not enter into an agreement which provides that a person not legally and actually qualified to perform professional services has control over the registrant's or licensee's judgment as related to public health, safety or welfare.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (intro.), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) and (2), Register, January, 1999, No. 517,

eff. 2-1-99; am. (intro.), Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (intro.), (2), (3) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.07 Unauthorized practice. An architect, landscape architect, professional engineer, designer, or professional land surveyor:

(1) Shall assist in enforcing laws which prohibit the unlicensed practice of architecture, landscape architecture, professional engineering, designing, and professional land surveying by reporting violations to the board.

(2) May not delegate professional responsibility to unlicensed persons and may not otherwise aid or abet the unlicensed practice of architecture, landscape architecture, professional engineering, designing, or professional land surveying.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, June, 1995, No. 474, eff. 7-1-95; am. (1), Register, January, 1999, No. 517, eff. 2-1-99; am. Register, February, 2000, No. 530, eff. 3-1-00; **CR 12-039: am. (intro.), (1), (2) Register June 2014 No. 702, eff. 7-1-14; CR 15-036: am. (intro.), (1), (2) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.08 Maintenance of professional standards. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall furnish the board with information indicating that any person or firm has violated provisions in ch. 443, Stats., rules in this chapter or other legal standards applicable to the profession.

(2) May not discuss with any individual board member any disciplinary matter under investigation or in hearing.

(3) Shall respond in a timely manner to a request by the board, a section of the board or the department for information in conjunction with an investigation of a complaint filed against a registrant or licensee. There is a rebuttable presumption that a registrant or licensee who takes longer than 30 days to respond to a request for information has not acted in a timely manner.

(4) Shall notify the department in writing if the registrant or licensee has been disciplined for unprofessional conduct in other states where the registrant or licensee holds a credential or has violated federal or state laws, local ordinances or administrative rules, not otherwise reportable under s. SPS 4.09 (2), which are related to the practice of an architect, landscape architect, professional engineer, designer or professional land surveyor. The notification shall be submitted within 48 hours of the disciplinary finding or violation of law and shall include copies of the findings, judgments and orders so that the department may determine whether the circumstances are substantially related to the practice of the registrant or licensee.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (intro.), Register, June, 1995, No. 474, eff. 7-1-95; am. (1), Register, January, 1999, No. 517, eff. 2-1-99; am. (intro.), Register, February, 2000, No. 530, eff. 3-1-00; **CR 09-034: cr. (3) and (4) Register December 2009 No. 648, eff. 1-1-10; correction in (4) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671; CR 15-036: am. (intro.), (3), (4) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.09 Adherence to statutes and rules. An architect, landscape architect, professional engineer, designer or professional land surveyor:

(1) Shall comply with the requirements in ch. 443, Stats., rules in this chapter and all other federal, state and local codes which relate to the practice of architecture, landscape architecture, professional engineering, designing and professional land surveying.

(2) May not engage in conduct that may adversely affect his or her fitness to practice architecture, landscape architecture, professional engineering, designing or professional land surveying.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. Register, June, 1995, No. 474, eff. 7-1-95; am. (1), Register, January, 1999, No. 517, eff. 2-1-99; am. Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (intro.), (1), (2) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.10 Plan stamping. (1) No architect, landscape architect, professional engineer or designer may sign, seal or stamp any plans, drawings, documents, specifications or reports for architectural, landscape architectural, professional engineer-

ing or design practice which are not prepared by the registrant or under his or her personal direction and control.

(2) No professional land surveyor may sign, seal or stamp any maps, plats, charts, or reports for professional land surveying practice which are not prepared by the professional land surveyor or under his or her personal direction and control.

(3) No architect, landscape architect, professional engineer, designer or professional land surveyor shall allow work performed by him or her or under his or her personal direction and control to be signed, sealed or stamped by another except that an architect, landscape architect, professional engineer, designer or professional land surveyor working under the personal direction and control of another registrant or licensee may allow that registrant or licensee to sign and seal or stamp the work.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) and (3), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) and (3), Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (2), (3) Register January 2016 No. 721, eff. 2-1-16.**

A-E 8.11 Suspension of registration; effect. Any

registrant or licensee whose registration or license has been suspended is prohibited during the term of the suspension from engaging in any of the following:

(1) Offering to perform any service which requires registration or licensure.

(2) Performing any professional service which requires registration or licensure.

(3) Signing or sealing plans, specifications, reports, maps, plats, or charts prepared for the practice of architecture, landscape architecture, professional engineering, designing or professional land surveying.

(4) Entering into contracts the performance of which require registration or licensure.

(5) Engaging in responsible supervision of construction as defined in s. 443.01 (8), Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (3), Register, June, 1995, No. 474, eff. 7-1-95; am. (intro.) to (4), Register, January, 1999, No. 517, eff. 2-1-99; am. (3), Register, February, 2000, No. 530, eff. 3-1-00; **CR 15-036: am. (intro.), (1), (2), (3), (4) Register January 2016 No. 721, eff. 2-1-16.**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Erin Doyle – LPPA – DPCP		2) Date When Request Submitted: 02/12/2020 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Engineer Section			
4) Meeting Date: 02/27/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Licenses granted since last meeting 10.09.2019	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
11) Signature of person making this request Erin Doyle		Authorization	Date 02/12/2020
Supervisor (if required)			Date
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			Date
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Date of Meeting: February 27, 2020 Engineer Licenses Issued Since October 9, 2019 – Open Session

<i>P. E. Name</i>	<i>License Number</i>	<i>Exam</i>	<i>Reciprocity</i>	<i>Reinstatement</i>
James Ziska	47358-6	x		
Robert Klynsmas	47360-6		x	
Daniel Bauknecht	47361-6	x		
Mark Tupa	47435-6	x		
Joseph Fielden	47359-6		x	
Charles Young	47362-6		x	
Gregory Boso	47572-6		x	
Paul LaRosa	47363-6		x	
Lewis Johnson	47377-6		x	
Dean Harrison	47379-6		x	
Richard Fouts Jr	47380-6		x	
Anthony Negri	47381-6		x	
Joseph Bonsignore	47382-6		x	
Nicholas Anderson	47388-6	x		
Derek Nelson	47389-6		x	
James Epperson	47405-6	x		
Mehrfarid Ghoreishi	47407-6		x	
David Steward	47579-6		x	
Neil Sander	47434-6		x	
Mehrdad Salehi	47431-6		x	
Jacob Dull	47430-6		x	
Barrett Crook	47429-6		x	
Brian Voll	47428-6		x	
Shawn Diederich	47427-6		x	
Michael Tuttmann	47426-6		x	
Francisco Alonso	47425-6		x	
Richard Mikut	47424-6		x	
Shaun McGrath	47423-6		x	
Gabriel Lowe	47422-6		x	
Matthew Bonneau	47421-6		x	
Daniel Kiedrowski	47449-6	x		
Jigar Dedhia	47443-6		x	
Zachary Autin	47451-6		x	
Kenneth Fortier	47447-6		x	
Osman Mohammed	47448-6	x		
Arlo Hulick	47455-6		x	
Craig Giroir	47452-6		x	
Ronald Troyer	47462-6		x	
Colin Schaffnit	47465-6		x	
Jennifer McClain	47472-6		x	
Gretchen Aviles Pineiro	47473-6	x		
Lena Dam	47474-6		x	
Kyle Sands	46679-6		x	
Michael Mury	47480-6		x	

Bradley Wingfield	47466-6		x	
Amber Kara	47545-6	x		
John Cassidy	47485-6		x	
Ross Trausch	47491-6		x	
Sivasis Panigrahi	47492-6		x	
Mikko Ahola	47490-6		x	
Darren Westby	47489-6	x		
Alexander Valley	47496-6	x		
James Watters	47495-6		x	
Kevin Hankes	47524-6	x		
Ryan Guerrero	47523-6		x	
Trenton Hirsch	47522-6	x		
Justin Dierkes	47528-6	x		
Miguel Arana	47517-6	x		
Jim Festa	47576-6		x	
Kenneth Beadle	47529-6		x	
Clinton Ridenour	47527-6		x	
Jameson Stark	47526-6		x	
Chad Rasmussen	47530-6		x	
Paul Andrzejewski	47532-6		x	
Zachary Karthaus	47543-6	x		
Nicholas Berner	46838-6		x	
Gregory Barron	47539-6	x		
Ian Hansen	47542-6	x		
Eric Nigh	47544-6	x		
Jonathan Armstrong	47541-6	x		
Nenad Halilovic	47550-6	x		
Elizabeth Ehrke	47549-6	x		
John Andrzejczak	47548-6		x	
Chi Chen	47547-6	x		
Jason Beck	47546-6	x		
Tyler Braatz	47558-6	x		
Tyler Miller	47553-6	x		
Alexander Javes	47552-6	x		
Brian Konarski	47562-6		x	
Aaron Duda	47560-6		x	
David Wolford	47433-6		x	
Adam Bogusch	47574-6		x	
Scott Bernth	47566-6		x	
Tyler Beinlich	47565-6	x		
Christopher Johnson	47581-6		x	
William Wilkie	30517-6			x
Daniel Tracy	47577-6	x		
Jacob Bolda	47577-6	x		
Mathew Litchfield	47587-6	x		
Sara Breitzman	47586-6	x		
Colten Tuescher	47584-6	x		
John Mika	47589-6	x		
Christopher Kleinz	47599-6		x	
Darren Oberle	47598-6	x		

Michael Brouch	47604-6		x	
Nicholas Nelson	47601-6	x		
Joshua Gatlin	47600-6		x	
Jered Lex	47610-6	x		
Nathaniel Jurmu	47609-6		x	
Benton Johnson	47608-6		x	
Curtis Scholz	47612-6	x		
Richard Long	47623-6		x	
Allyse Panaro	47622-6	x		
Robert Pine Jr.	47621-6		x	
Crystal Blanton	47620-6		x	
Michael Folkening	47618-6		x	
James Parrow	47617-6		x	
Jason Atchison	47616-6	x		
Michael McGehee	47614-6		x	
Andres Rivera	47613-6		x	
Megan Jehring	47632-6	x		
Andrew Roedel	47630-6	x		
Ryan Moe	47631-6	x		
Stephen Dominguez	47629-6	x		
Caitlin Bukovitz	47627-6	x		
Kevin Zwieg	47628-6	x		
Brad Lindner	47625-6	x		
Dongkai Chen	47624-6		x	

Engineer in Training Name	License Number
Hilary Merline	1513458-500
Tyler Loefflerholz	1513457-500
Monica Begley	1513459-500
Jared Buchanan	1513456-500
Jacob Winker	1513455-500
Michalee Leuthard	1513454-500
Kenzie Ostien	1513453-500
Mujahid Mohiuddin Mohammed	1513464-500
Ethan Herox	1513461-500
Adam Laux	1513460-500
Emil Bautista	1513463-500
Jenna Burns	1513465-500
Corona V Woychik	1512896-500
Julia Zehner	1315470-500

Tyler Mueller	1513468-500
Deepa Murugesan	1513467-500
Jesus Maldonado Reyes	14972-500
Craig Felt	1513466-500
Tyler Barber	1513474-500
Saif Khan	1513473-500
Allison Dahlke	1513472-500
Iman Farhat	1513469-500
Emily Bowen	1513471-500
Kirsten James	1513476-500
Kelly O'Malley	1513475-500
Jacob Belke	1513479-500
Abigail Tanner	1513480-500
Gareth Ferguson	1513481-500
Arielle Lewien	1513482-500
Grant Tullar	1513483-500
Dilip Dair	1513484-500
Nicholas Deery	1513485-500
Cody Gartman	1513486-500
Lousia Holland	1513487-500
Rex Key	1513488-500
Benjamin Kubiak	1513489-500
Heidi Jeninga	1513490-500
Ethan Lenertz	1513491-500
Tyler Klink	1513492-500
Conner Acker	1513493-500
Sean Markey	1513494-500
Kendra Byrum	1513495-500
Andrew Harpster	1513496-500
Nicholas Fetzner	1513497-500
Jordan Roessler	1513498-500
Aaron Canton	1513499-500
Max Morache	1513500-500
Nishanth Saldaha	1513501-500
Krista Raver	1513502-500
Karoline Qasem	1513503-500
Luke Anderson	1513504-500
Brandon Wright	1513505-500
Kurt Walker	1513506-500
Megan Duffy	1513507-500
Alex Robinson	1513508-500
Hannah Maas	1513509-500
Andrew Bartel	1513510-500
Michael Garde	1513511-500
Gregory Hagen	1513516-500
Olivia Wycklendt	1513512-500
Zachary Decent	1513513-500
Ben Rauenbuehler	1513514-500
Kristopher Joplin	1513515-500